



August 6, 2020

TO: LOCSO Board of Directors
FROM: Ron Munds, General Manager
Laura Durban, Administrative Services Manager
SUBJECT: **Agenda Item 7B – 08/06/2020 Board Meeting**
Select Two Members to Serve on the Hearing Board for Fire Hazard Abatement

President
Charles L. Cesena

Vice President
Christine M. Womack

Directors
Matthew D. Fourcroy
Vicki L. Milledge
Marshall E. Ochylski

General Manager
Ron Munds

District Accountant
Robert Stilts, CPA

Unit Chief
Scott M. Jalbert

Battalion Chief
Paul Provence

Mailing Address:
P.O. Box 6064
Los Osos, CA 93412

Offices:
2122 9th Street, Suite 110
Los Osos, CA 93402

Phone: 805/528-9370
FAX: 805/528-9377

www.losososcsd.org

DESCRIPTION

This requests the Board select two Directors to establish the Hearing Board for Fire Hazards Abatement per Title 4 Chapter 4.04.110.

STAFF RECOMMENDATION

Staff recommends that the Board discuss and adopt the following motion:

Motion: I move that the Board:

- 1) Select _____ and _____ as a Committee Member of the Hearing Board for Fire Hazards Abatement; and***
- 2) Include the Hearing Board meeting as a meeting Directors can be compensated for.***

DISCUSSION

This requests the Board select two Directors to establish the Hearing Board for Fire Hazards Abatement per Title 4 Chapter 4.04.110.

A hearing board is hereby established in order to conduct hearings pursuant to this Chapter. The hearing board shall be comprised of three (3) persons as follows: one (1) member shall be an officer of the department of the issuing agency selected by the department head, but not the issuing officer; and two (2) members shall be selected by the Board of Supervisors. Members shall serve at the pleasure of the Board of Supervisors.

When Title 4 was updated on March 5, 2020 there was a clerical error where the section says Board of Supervisors instead of Board of Directors. As this is a clerical error and not material to the intent of Title 4, staff is recommend that the District proceed with selection of the Hearing Board members. A revision to correct the error in Title 4 is being made with a First Reading of the Ordinance change at the August 6, 2020 Board meeting.

On July 27, 2020 General Manager Munds met with Captain Ciecek from South Bay Station-15 to discuss the Fire Hazard Abatement program. At that time, it was discussed that the Establishment of a Hearing Board was necessary for properties that have not abated as of that date to ensure the appeals process is in place if needed. These properties have received two notices as required by Title 4. The first notice was sent Certified Mail, the second notice was send via delivery confirmation as USPS is not collecting signatures via Certified Mail due to COVID-19.

When the Committee meets for the Hearing Board, a Director would be compensated if a report is submitted to the Board.

Attachment – Copy of Notice



**Station 15 - South Bay
Fire Department**
2315 Bayview Heights Drive
Los Osos, CA 93402
(805) 764-1053



June 18, 2020

NAME

Address

City, State Zip

Re: Fire Code Violation at **Assessor Parcel #000-000-000**

Dear **Name**,

This second notice is to advise you that your property on/at **Property Address** was inspected between June 1st – 5th, 2020 and has been identified as having a fire hazard that requires abatement. A certified notice has been sent to you, but is showing issues with delivery. This requirement is part of Los Osos Community Services District ordinance no. 2020-01. The purpose of this ordinance is to keep the community fire safe by ensuring that all yards and lots are cleared of flammable vegetation and debris. If you do not have weeds or flammable items on your property, please **do not** notify the fire department as we will re-evaluate your parcel between June 22nd – 26th.

All properties within the District boundaries were inspected for fire hazards. During the inspection of your property, the inspector noted a violation on your property.

To understand exactly what is required of you, read the following Abatement Standards:

The Los Osos Community Services District Board of Directors declares that all hazardous vegetation growing upon any property or in any public street, sidewalk, or alley which when exposed to the elements, endanger the public safety by creating a fire hazard, impedes access to fire protection systems or facilities and are further declared to be a public nuisance such as those that block the vision of drivers or pedestrians **shall** be abated by law.

The term "hazardous vegetation" includes:

1. Vegetation which bear seeds of a downy or wingy nature; Sagebrush, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property.
2. Vegetation which is otherwise noxious or dangerous.
3. Poison oak and poison ivy, when the conditions or growth are such as to constitute a menace to the public health.
4. Dry grasses, stubble, brush, dead shrubs, dead trees, litter or other flammable material which endanger the public safety by creating a fire hazard.

The Los Osos Community Services District and CAL FIRE/Station 15 – South Bay Fire shall not enforce the Abatement of hazardous vegetation where enforcement would result in the taking of endangered, rare, or threatened plant or animal species or would result in significant erosion and sedimentation of surface waters. Written documentation from the United States Fish and Wildlife Service or other agency with jurisdiction, stating that enforcement will result in the taking of endangered, rare, or threatened plant or animal species, is required to qualify the property for this exemption. For more information, contact Carrie Young, CAL FIRE Administrative Assistant, at (805) 764-1053.

LEGAL NOTICE TO ABATE HAZARDOUS VEGETATION

If you do not have weeds or flammable items on your property, please **do not** notify the fire department as we will reevaluate your property during the first two weeks of July.

*Failure to comply with this notice by the deadline of **July 13th, 2020** could result in a citation being issued per state law and local fire safety ordinance or fines from the Los Osos Community Services District.*

This abatement requirement does not apply to single specimens of trees, ornamental shrubbery, or similar plants, such as ice plant, which are used as ground cover, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

Thank you for helping to make our community fire safe,

Paul Provence

Paul Provence, Battalion Chief
CAL FIRE/Station 15 - South Bay Fire Department

The following information has been provided for your convenience:

VEGETATION ABATEMENT COMPANIES

Name	Location	Phone Number
Rob Vandenouden, Weed Abatement Specialist	Los Osos	805-528-0183
Weed Pullers	Morro Bay	805-888-1601
Keith Gaffney Landscape Co.	SLO	805-528-1307
Nunez Maintenance Services	Los Osos	805-806-5229
Weed Eater Joe	Los Osos	805-294-2588
Central Coast Gardening & Clean-Up	SLO	805-441-2312

South Bay CAL FIRE - Station 15 does not endorse or approve any of the companies listed above. The suitability of these company's methods, equipment, availability to work, or cost must be determined by the property owner should the property owner hire a company to complete the fire safety requirements.

Abatement Phone Number for questions: (805) 764 - 1053